

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK  
by LETITIA JAMES, Attorney General of the State  
of New York,

Plaintiff,

v.

DIOCESE OF BUFFALO, RICHARD J.  
MALONE, EDWARD M. GROSZ, and EDWARD  
B. SCHARFENBERGER, in his capacity as  
Apostolic Administrator for the Diocese of Buffalo,

Defendants.

No. 1:21-cv-00189-RA

**MOTION BY CONSENT FOR SUBSTITUTION OF A DEFENDANT**

With the consent of all other parties to this action, Defendant, the Diocese of Buffalo, hereby respectfully moves, pursuant to Federal Rule of Civil Procedure 25(c), to substitute as a Defendant MICHAEL W. FISHER, in his capacity as the Bishop of the Diocese of Buffalo, for the Defendant, EDWARD B. SCHARFENBERGER, in his capacity as Apostolic Administrator for the Diocese of Buffalo. Michael W. Fisher has been the Bishop of the Diocese of Buffalo since he was installed on January 15, 2021. Edward B. Scharfenberger is no longer the Apostolic Administrator for the Diocese of Buffalo. The undersigned counsel for the Diocese of Buffalo represented Edward B. Sharfenberger in this action, in his capacity as the Apostolic Administrator for the Diocese of Buffalo, and will represent Michael W. Fisher in this action, in his capacity as Bishop of the Diocese of Buffalo.

A revised caption with the substitution sought by this motion is attached hereto as Exhibit A.

Dated: New York, New York  
August 22, 2022

Respectfully submitted,



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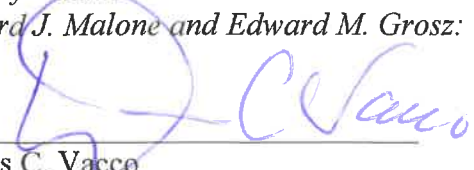
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*Attorneys for Defendants  
Diocese of Buffalo and  
Bishop Michael W. Fisher*

WITH CONSENT:

Dated: Buffalo, New York  
August 22, 2022

*For Defendants*  
*Richard J. Malone and Edward M. Grosz:*



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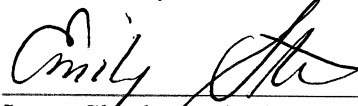
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WITH CONSENT:

Dated: New York, New York  
August 22, 2022

*For Plaintiff, Letitia James, Attorney General  
of the State of New York:*



James Sheehan, Charities Bureau Chief  
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SO ORDERED:



Hon. Ronnie Abrams,  
U.S. District Judge

Dated: August 24, 2022

**EXHIBIT A**

**REVISED CAPTION**

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SOUTHERN DISTRICT OF NEW YORK**

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